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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/541,879

07/08/2005

George Docker

1315-32

7928

7590

05/25/2006

Carter, DeLuca, Farrell & Schmidt
445 Broad Hollow Road
Suite 225
Melville, NY 11747

EXAMINER

IZAGUIRRE, ISMAEL

ART UNIT

PAPER NUMBER

3765

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SP

Office Action Summary	Application No. 10/541,879	Applicant(s) DOCKER, GEORGE	
	Examiner Ismael Izaguirre	Art Unit 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-46 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 24-28 is/are rejected.
- 7) ☒ Claim(s) 29-46 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/14/05</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

SPECIFICATION

Headings

Applicant is asked to take note the preferred arrangement and headings directed to a specification: except for the title, each of the lettered items should preferably be preceded by the headings indicated below.

- (a) Cross-Reference to Related Application(s) (if any).
- (b) Background of the Invention.
 - 1. Field of the Invention (or Technical Field).
 - 2. Description of the Related Art (or Background Information or Background Art)
- (c) Summary of the Invention (or Disclosure of Invention).
- (d) Brief Description of the Drawing(s).
- (e) Description of the Preferred Embodiment(s)
- (f) Claim(s).
- (g) Abstract of the Disclosure (or Abstract).

Providing the above would place the specification in accordance with the suggestions of those portions of MPEP §§ 601 or 608.01 concerning "proper headings".

Informalities

Applicant should note the following informality and steps should be taken in correcting this. On page 9, lines 8 and 22, the character number "40" is used to define a baffle and a second linking member. A different character number should be used for each element. Appropriate correction is required.

CLAIMS

Summary

Claim 24 is the independent claim under consideration in this Office Action.

Claims 25-46 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vartan (4,689,905).

Vartan discloses the invention substantially as claimed. Vartan teaches an apparatus for pressing garments, which can be used as a combined garment (trouser) ironing press and an ironing board. Vartan teaches a heatable pad 30 (figure 5a, for example) housed in a body P. A pressure plate B, a surface of which is clampable against the heated pad in a first positioning (figure 2e, for example) where a garment is sandwiched between the pressure plate and the heated pad. And a second position where the pressure plate is held in a horizontal position for placement of the garment, which can then be pressed as if on an ironing board (figure 4d, for example). At least one support leg C is provided for supporting the pressure plate and the heated pad in

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the first and second positions. A slide member and guide means 60 are disposed at one end of the pressure plate and heated pad body for allowing the pressure plate to pivot about its connection to the support leg and the body. The heated pad and housing further slide and pivot such as to clamp down on the pressure plate and so as to slide onto the pressure plate. However, Vartan does not specifically suggest that while the press plate is in the second position, it is used as an ironing board.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the device such that while in the second position, that is while the pressing plate is fully extended and horizontally supported, that is be inherently usable as a platform or ironing board where a garment is laid thereupon and ironed either with a steam iron or with the heated pad, as taught. Providing such positions would allow a single presser to be used as a combination presser for pressing garments in two different ways.

DRAWINGS

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the slide member (of claim 1) must be shown or the feature cancelled from the claim. No new matter should be entered.

The drawings are objected to because they do not include certain reference signs mentioned in the description. 37 CFR 1.84(p)(5) states, "Reference characters mentioned in the description must appear in the drawings." Reference signs "40a" and "48" are examples of those not found in the drawings. All drawings should be reviewed,

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against the specification, for such discrepancies and steps should be taken so as to correct such discrepancies. Correction is required.

ALLOWABLE SUBJECT MATTER

Claims 29-46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Warner, Hanada et al., and Corby illustrate trouser presses. Topliffe illustrates a pivotable ironing board including a fluid system for moving fluid within the hollow ironing board. Cerutti illustrates an ironing board including a pivotable board. Sweatt illustrates a pivotable pressing apparatus including a pressing plate pivotable another board and housed within a housing.

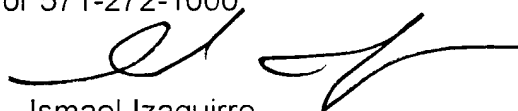
INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ismael Izaguirre
Primary Examiner
Art Unit 3765